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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,362	11/16/2001	Nils O. Olsson	3993968-126973	1397

7590 12/11/2003

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EXAMINER

STERLING, AMY JO

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 12/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/993,362

Applicant(s)

OLSSON ET AL.

Examiner

Amy J. Sterling

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

This is the first non-final Office Action for application number 09/993,362 Zero Looseness Fastener for Linkage Assembly, filed on 11/16/01. This application claims priority to parent application 09/130,428, dated 8/6/1998. Claims 1, 2 and 4-25 are pending.

The request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/5/03, paper no. 9 has been entered.

Claim Rejections - 35 USC § 103

Claims 1, 2 and 4-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 5014958 to Harney, and further in view of United States Patent No. 4789283 to Crawford.

The patent to Harney discloses a vehicle seat mounting assembly having at least one movable seat track (Col. 23, lines 25, 26), a linkage assembly having a first link (110) having a first external surface and a thickness, a first internal surface, and a first aperture extending between the first external surface and the first internal surface, a second link (206A) having a second external surface and a second thickness, a second internal surface, and a second aperture extending between the second external surface

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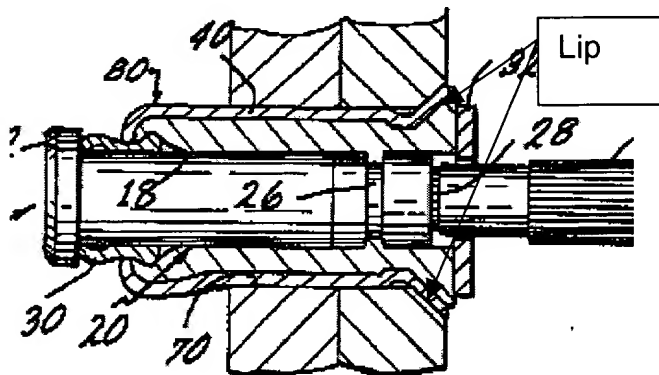
and the second internal surface, a fastener (220) having a head portion and a cylindrical body portion extending therefrom and terminating at a distal end opposite the head portion. There is no slot in plate (206A), slot (203) resides in plate (206). Harney also shows wherein the body portion of the fastener extends through the first and second apertures. Harney shows that the fastener has a length that is greater than the sum of the first thickness and the second thickness of the links such that when the internal face of the first link is placed against the internal face of the second link and the body portion is inserted through the first and second links, a segment of the body portion extends beyond the links, wherein the distal end of the body portion is plastically deformed to form a lip engaging an external surface of the second link and allows rotational movement and not linear movement. (See Fig. 7) and (See Col. 6, lines 47-54 and Col. 19, lines 18-63).

Harney does not specifically disclose a hollow rivet with a central bore having an internal diameter, wherein the central bore extends for a length less than the total length of the body portion wherein the central bore is open at the end of the body portion opposite the head portion and is closed toward the body portion and wherein the body portion is expanded outwardly within the apertures to engage the links.

Crawford teaches a hollow rivet which has a body portion (30, 40) and a head (22), and a lip (See Drawing below), the body extending from the head to the lip, the body having a central bore having an internal diameter (18), wherein the central bore extends for a length less than the total length of the body portion (See Fig. 8). Crawford also shows wherein the central bore is open at the end of the body portion opposite the

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head portion and is closed toward the body portion. Crawford shows wherein the body portion is expanded outwardly from the head portion to the lip, within the apertures to engage the desired secured surfaces, used in order to reduce movement of the secured surfaces. (See Col. 3, lines 32-39). Therefore, it would have been obvious to someone skilled in the art at the time the invention was made to have used the hollow rivet of Crawford in place of the rivet described by Harney in order to limit movement between the desired surfaces such as the links taught by Harney.



Response to Arguments

Applicant's arguments with respect to claims 1, 2 and 4-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 703-308-3271. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine number for

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the Technology center is 703-872-9306 (formal amendments) or 703-308-3519 (informal amendments/communications). Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 703-308-2168.



AJS
Amy J. Sterling
12/3/03



RAMON O. RAMIREZ
PRIMARY EXAMINER
ART UNIT ~~355~~ 3632